

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

JOHN STAPLETON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 2:07CV-193-P-A

**COAHOMA COUNTY, MISSISSIPPI;
AND SHERIFF ANDREW THOMPSON, JR.,
IN HIS INDIVIDUAL AND OFFICIAL CAPACITY**

DEFENDANTS

ORDER

This cause is before the Court on the plaintiff's Motion for Discovery Limited to 42 U.S.C. § 1983 Qualified Immunity. The Court, having reviewed the motion, the response and being otherwise fully advised in the premises, finds as follows, to-wit:

That the motion is well-taken and should be granted. Plaintiff will be permitted to engage in immunity-related discovery for a period of sixty (60) days from the entry of this Order. In particular, plaintiff may obtain discovery regarding the "interpretation, application and enforcement of the Defendants' wrecker rotation policy for the Defendants' non-policymaking employees." As a further matter, the Court directs the defendant to provide plaintiff with prediscovery disclosure materials including but not limited to the following:

1. All documents and materials regarding the interpretation and application of its written wrecker rotation policy for defendants' non-policymaking employees;
2. All of the completed "Request Wrecker Service Forms" from March 9, 2003 to the present; and
3. All training materials and classes used in conjunction with the defendants' wrecker

rotation policy.

Plaintiff is to supplement his response to the pending dispositive motion within twenty (20) days following the close of immunity-related discovery. Defendant will be permitted to submit a supplemental reply brief within five (5) days thereafter.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the plaintiff's Motion for Discovery Limited to 42 U.S.C. § 1983 Qualified Immunity is well-taken and should be, and hereby is, GRANTED. IT IS FURTHER ORDERED that plaintiff is hereby GRANTED leave to proceed with immunity-related discovery for a period of sixty (60) days, said discovery to conclude on May 26, 2008. IT IS FURTHER ORDERED that the defendants are to provide plaintiff with the prediscovery disclosures identified herein within fifteen (15) days of the entry of this Order. IT IS FURTHER ORDERED that the parties are to supplement their filings pertaining to the pending dispositive motion within the time frame specified herein.

SO ORDERED, this the 26th day of March, 2008.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE